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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 ZENAIDA CORDOVA,

12 Plaintiff,

13 v.

14 OFFICER GREG RODRIGUEZ, ACTING  
15 WARDEN MICHAEL  
PALLARES,

16 Defendants.  
17

Case No. 1:24-cv-00482 JLT HBK (PC)

ORDER ADOPTING FINDINGS AND  
RECCOMENDATION IN FULL

(Docs. 16, 35)

18 On September 29, 2025, the assigned Magistrate Judge issued Findings and  
19 Recommendations granting Defendant Pallares' motion to dismiss, but allowing Plaintiff leave to  
20 amend her Eighth Amendment claim against Defendant Pallares. (Doc. 35 at 1.) The Court  
21 served the Findings and Recommendations on the parties and notified them that any objections  
22 were to be filed within 14 days. (*Id.* at 12.) The Court also warned the parties that failure to  
23 timely file objections "may result in the waiver of certain rights on appeal." (*Id.* (citing  
24 *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014).) No party has filed objections and the  
25 time to do so has passed. (*See* docket.)

26 According to 28 U.S.C. § 636(b)(1)(C), this Court performed a *de novo* review of this  
27 case. Having carefully reviewed the matter, the Court concludes the Findings and  
28 Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS:**

- 1           1. The Findings and Recommendations issued on September 29, 2025 (Doc. 35) are
- 2           **ADOPTED** in full.
- 3           2. Defendant Pallares's Motion to Dismiss (Doc. 16) is **GRANTED**.
- 4           3. Plaintiff's Complaint (Doc. 1) is **DISMISSED without prejudice as to Defendant**
- 5           **Pallares** and Plaintiff is granted leave to file a second amended complaint within
- 6           **twenty-one days** of this order.

7  
8 IT IS SO ORDERED.

9       Dated: **October 24, 2025**

  
UNITED STATES DISTRICT JUDGE